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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ROBERT M. GERBER, et al.,

Plaintiffs,

Civil Action No. 05-10782-DPW

v.

And Consolidated Action 05-12178-DPW

ROBERT S. BOWDITCH, JR., GERALD
SLAVET, STEVEN RIOFF, AND BSR
ASSOCIATES,

Defendants.

STIPULATION OF DISMISSAL WITH PREJUDICE

The parties hereby stipulate, pursuant to Fed. R. Civ. Pro. 41(1)(ii), to the dismissal of all claims that were or could have been asserted by the Plaintiffs in the above-captioned matter and/or in *Bournakel, et al. v. Bowditch, et al.*, Civil Action No. 05-12178-DPW, which has been consolidated into the above-captioned case. This dismissal is with prejudice, with each party to bear his/her/its owns costs and attorneys' fees and waiving all rights of appeal.

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Respectfully submitted,

PLAINTIFFS,

Robert M. Gerber, Individually and as Trustee
of the Rosalie Gerber Trust,
William J. Gilligan and Jane Gilligan,
Sanford R. Hoffman and Beth L. Hoffman,
James D. Burns,
George G. Bournakel,
Nancy Marcotte,
Muriel G. Miller,
David A. Olshan,
Victor Parsonnet,
Betty Perl,
Leslie Prosterman, Individually and as
Administrator of the Estate of Betsyce
Prosterman, in turn Individually and as Trustee
of the Albert Prosterman Revocable Trust and
of Share B of Prosterman Trust, George E.
Reed,
Donald Day, Individually and as Personal
Representative of the Estate of Robert Scheur,
William Wishnick, and Donald Thiry,

By their Attorneys,

/s/ John J. O'Connor

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DEFENDANTS,

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Robert S. Bowditch, Jr.,
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